

November 17, 2011

City of Minneapolis, Minnesota
Attention: Hilary Dvorak, City Planner
City of Minneapolis CPED
250 South 4th Street
Room 300 PSC
Minneapolis, Minnesota 55415

**Re: Amendment to Conditional Use Permit #61061
Hennepin Energy Recovery Center**

Dear Ms. Dvorak:

In connection with the application by Covanta Energy, on behalf of Hennepin County Environmental Services, for an amendment to the above referenced conditional use permit, Covanta Energy hereby requests a further extension of the time limit under Minnesota Statutes, Section 15.99, pursuant to Section 15.99(g) thereof.

Pursuant to Section 15.99, the City of Minneapolis (the "City") has extended its deadline to act on our application once for an additional sixty (60) days, thereby establishing the deadline of September 2, 2009. Covanta Energy most recently granted an extension to the City on September 22, 2011 to extend its review time for zoning application (BZZ 4401) until December 22, 2011. Covanta Energy hereby grants an extension to the City to extend its review time for zoning application (BZZ 4401) beyond the current deadline until March 31, 2012.

Covanta has submitted to MPCA a request for a major modification to the air permit to remove the limit on the annual throughput of municipal solid waste. The MPCA has ordered the preparation of an Environmental Assessment Worksheet (EAW) as part of the review process. Covanta has submitted the Air Modeling and Health Risk Assessment protocols to MPCA. Upon approval of these by the Agency, we will submit the final Air Modeling & Health Risk Assessment reports along with a final application to the MPCA. Several weeks time was lost in this process due to the shutdown of State government.



The current status of this application is that Covanta Energy appealed the decision of the City Planning Commission, notwithstanding the recommendation of staff, denying our application for an amended conditional permit for the Hennepin Energy Recovery Center to allow the facility to process at its designed and constructed capacity of 1,212 tons of waste per day. The Planning and Zoning Committee and the City Council have not acted on such appeal. The extension granted to the City in this letter is made with the understanding and agreement from the City that such extension will not waive or prejudice any of the rights of Covanta Energy, as the applicant, in its appeal and that the appeal will continue in the current procedural posture, without reference back to the City Planning Commission, with prior notice to us of proposed further action by the City on the appeal and matters relevant thereto.

If you have any questions regarding the application, our appeal, or this letter, please do not hesitate to contact me at (612) 332-9423.

Sincerely,

COVANTA HENNEPIN ENERGY RESOURCE COMPANY

A handwritten signature in black ink, appearing to read "John Sigmond".

John Sigmond

Business Manager

Direct Number: 612-332-9423

jsigmond@covantaenergy.com